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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of

Implementation Of Section 8
of the Cable Television Consumer
Protection And Competition
Act Of 1992

Consumer Protection and
Customer Service

MM Docket No. 92-263

REPLY TO COMMENTS OF UNITED STATES TELEPHONE ASSOCIATION

U.S. Computer Services ("USCS"), by its attorneys, hereby submits the following reply to the comments of the United States Telephone Association ("USTA") regarding petitions for reconsideration in the above-captioned proceeding. USCS, doing business as CableData and International Billing Services, is the cable industry's largest billing vendor, preparing and mailing bills to more than half of the nation's cable subscribers.

In its comments, USTA expressed concern that the Commission's customer service standard governing billing dispute resolution (47 C.F.R. § 76.309(c)(3)(ii)(B)) fails to take account of variations in billing cycles and suggests that systems should be permitted to respond to billing disputes either within 30 days or the next billing cycle.¹ While USCS believes USTA's

¹Although USTA has raised the billing cycle issue in connection with its concerns about the impact of the customer (continued...)

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concern is well-taken and should be addressed by the Commission, we submit that the underlying issue is broader than USTA's comments suggest. Specifically, the need to account for billing cycle cut-offs applies not just to the dispute resolution

a refund check before the equipment leased from the operator has been returned.

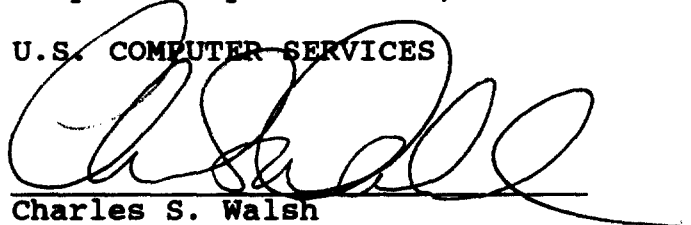
Second, as noted above, Section 76.309(c)(3)(iii) provides that refund checks must be issued by the earlier of the next billing cycle following resolution of the request or 30 days.² When a subscriber terminates service, he or she may be owed a refund for prepaid service. However, that same subscriber also might owe the system for pay-per-view charges incurred after the close-out date of the subscriber's most recent bill. Thus, whether the operator owes the subscriber an actual refund or merely an amount to be credited against a balance due will not be clear until all charges incurred by the subscriber have been accounted for and billed. To avoid situations in which an operator is forced to issue refund checks rather than simply credit the amount due the subscriber against balance owed the operator, the Commission should apply the same standard for payment of refunds as is applicable to credits: refunds should be issued no later than the billing cycle following the

²Notwithstanding the somewhat ambiguous phrasing of this

determination that an actual refund (rather than simply a credit) is warranted. See 47 U.S.C. Section 76.309(c)(3)(iv).

Respectfully submitted,

U.S. COMPUTER SERVICES

A large, stylized handwritten signature in black ink, appearing to read 'C. Walsh', is written over the typed name 'Charles S. Walsh'.

Charles S. Walsh
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Its Attorneys

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Dated: June 28, 1993

CERTIFICATE OF SERVICE

I, Eve Lehman, a legal secretary with the law firm of Fleischman and Walsh, hereby certify that on this 28th day of June, 1993 a copy of the foregoing REPLY TO COMMENTS OF USTA was sent by U.S. first class mail, postage prepaid, to the following:

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